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Letter dated 16 July 2013 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government and pursuant to my letter S/2013/414 dated 15 July 2013, I have the honour to transmit to you the detailed reaction of my Government to the letter the Permanent Representative of Rwanda to the United Nations addressed to you on 8 July 2013 (S/2013/402) concerning the allegations of cooperation between the Forces armées de la République démocratique du Congo (FARDC) and the Forces démocratiques de libération du Rwanda (FDLR) (see annex).

I should be grateful if this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative

13-40384 (E) 020813 070813

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Annex to the letter dated 16 July 2013 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

[Original: French]

Further response from the Democratic Republic of the Congo to the allegations by Rwanda concerning cooperation between FARDC and FDLR and concerns expressed by the United Nations Group of Experts

The present response from the Democratic Republic of the Congo is in reply to the allegations by Rwanda concerning reports of collaboration between members of the Forces armées de la République démocratique du Congo (FARDC) and members of the Forces démocratiques de libération du Rwanda (FDLR) contained in the letter dated 9 July 3013 from the Permanent Mission of Rwanda to the United Nations in New York.

It also responds to the concerns expressed by the United Nations Group of Experts on the Democratic Republic of the Congo in correspondence dated 12 June 2013 (S/AC.43/2013/GE/OC.55).

These concerns and allegations call for the following explanations:

A. Regarding the concerns expressed by the Group of Experts

With regard to the priority placed by the Congolese Government on combating FDLR in comparison to other armed groups, the Government ferociously combats all armed groups and negative forces operating in the Democratic Republic of the Congo, without distinction.

With regard to FDLR in particular, several extensive operations, as listed below, have been conducted, either by FARDC alone or jointly with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), or with the Rwanda Defence Force (RDF) to eradicate this negative force:

- 2004-2005: Joint FARDC-MONUC operation
- June 2008: FARDC operation known as "Kimia I", preceded by a campaign to raise awareness on surrender and voluntary repatriation
- 2009: Joint FARDC-RDF operation, dubbed "Umoja Wetu"
- 26 February to 31 December 2009: FARDC operation known as "Kimia II", with support from MONUC
- 1 January 2010 to 30 April 2012: FARDC operation "Amani Leo", with MONUSCO support.

In addition to the operations listed above, other joint operations have been conducted against FDLR between September 2010 and April 2012 by special units

of the intelligence services of the Democratic Republic of the Congo and Rwanda, in Rutshuru, Nyiragongo and Masisi territories in particular.

The Democratic Republic of the Congo was not able to carry out these operations against FDLR until 2004, considering that from 1998 to 2003, a six-year period, this part of its national territory was under military occupation by aggressors who are well known.

Results obtained

Out of the approximately 7,000 combatants estimated by the international community in 2004, the aforementioned operations led to a drastic reduction in the military potential of FDLR:

- Fallen on the battlefield: 2,801 combatants
- Repatriated to Rwanda as at 30 April 2012: 3,371 combatants
- Weapons gathered as at 30 April 2012, including ammunition and other war materiel: 2,367 (all calibres)
- FDLR members roving in North Kivu and South Kivu provinces estimated at 1,500 combatants
- Destruction of all FDLR sanctuaries and headquarters
- Dismantling of the FDLR military command
- Drying up of FDLR funding sources (military operations dislodged them from mining operations and destroyed their fields)
- Significant reduction in the capacity of FDLR to cause harm, from 65 per cent to 85 per cent, as recognized and attested to in the FARDC-MONUSCO joint evaluations conducted in:

  (a) Kinshasa, from 26 to 29 March 2010, as certified by the report signed at Kinshasa on 29 March 2010 by Lt. General Didier Etumba Longila, Chief, General Staff (for FARDC); and Lt. General Babacar Gaye, Commander of MONUC (for MONUC) (see enclosure 1)

  (b) Kisangani, on 28 July 2010, as confirmed by the report signed on 28 July 2010 at Kisangani, Orientale province, Democratic Republic of the Congo, by Lt. General Didier Etumba Longila, Chief, General Staff (for FARDC); and Lt. General Babacar Gaye, Commander of MONUSCO (for MONUSCO) (see enclosure 2)

- Considerable reduction in FDLR military potential, recognized by the parties at the joint FARDC-RDF-MONUSCO evaluations conducted in:

  (c) Matadi, Bas-Congo province, Democratic Republic of the Congo, on 19 January 2010, with the participation of the army of Burundi (FDN), as certified in the report signed at Matadi on 19 January 2010 by Lt. General Didier Etumba Longila, Chief, General Staff (for FARDC); General James Kabarebe, Chief of the Defence Staff (for RDF of Rwanda); and Major-General Godefroid Niyombare, Chief, General Staff (for the army of Burundi (FDN)) (see enclosure 3)

(d) Kigali, Rwanda, on 2 November 2010, as witnessed by the report signed at Kigali, also on 2 November 2010 by Lt. General Charles Kayonga, Chief, General Staff (for RDF of Rwanda); and Lt. General Didier Etumba Longila, Chief, General Staff (for FARDC) (see enclosure 4)

(e) Kinshasa, on 20 and 21 May 2011, as proven by the report signed in Kinshasa on 21 May 2011 by Lt. General Didier Etumba Longila, Chief, General Staff (for FARDC); and Lt. General Charles Kayonga, Chief, General Staff (for RDF of Rwanda) (see enclosure 5).

In addition to these joint evaluations, FARDC presented a joint plan of operations against FDLR to a delegation of RDF on 28 June 2012 at Goma, Democratic Republic of the Congo, and on 6 July 2012 at Rubavu/Gisenyi, Rwanda.

The two delegations were led respectively by:

(a) in Goma, on 28 June 2012: the Deputy Prime Minister and Minister of Defence, Alexandre Luba Ntambo, Democratic Republic of the Congo; and the Minister of Defence, James Kabarebe, Rwanda

(b) in Rubavu/Gisenyi, on 6 July 2012: Brigadier General Vainqueur Mayala, Democratic Republic of the Congo; and Brigadier General Vincent Gatama, Rwanda.

Comment

The momentum of the Democratic Republic of the Congo to eradicate this negative force (FDLR) unfortunately has been slowed considerably by the mutiny of former members of Congrès national pour la défense du peuple (CNDP), who were integrated within FARDC in 2009, and by the birth of the Mouvement du 23 mars (M23) rebellion; these events have been led and supported from outside the country.

Consequences of operations conducted against FDLR in the Democratic Republic of the Congo

In reprisal, FDLR, forced to roam at large, committed killings, mass rapes and sexual violence, kidnapping, recruitment of minors, burning of villages, plunder, extortion and various abuses leading to repeated population displacements and humanitarian disasters, etc.

As for whether the Government of the Democratic Republic of the Congo received information concerning possible collaboration as well as transfers of weapons or munitions between FARDC soldiers and FDLR members in 2013, the Government of the Democratic Republic of the Congo never received such information, except regarding isolated cases related to individual actions; if such had been the case, the perpetrators of those acts would have been subjected to exemplary sanctions.

It should be recalled that a FARDC general who was cited in a United Nations report for weapons trafficking with armed groups was immediately relieved of duty in November 2012.

Since January 2013, FARDC has recorded 13 killed and 43 seriously wounded in tracking operations against FDLR or during attacks or ambushes.

The Government of the Democratic Republic of the Congo, which is aware of the serious crimes perpetrated by the negative forces against their own people, and whose army unceasingly combats the presence of the negative force that FDLR represents in its territory, cannot at the same time offer it any form of collaboration.

Concerning the investigations opened by the Congolese Government into the allegations having to do with possible cases of collaboration between FARDC and FDLR, it should be noted that the Government of the Democratic Republic of the Congo is continually undertaking investigations into all issues affecting national life. In the matter in question, the Government, which has information structures within all units of FARDC, has not yet received a report with specific facts relating to such a collaboration.

With regard to information that the Democratic Republic of the Congo could share with the United Nations Group of Experts on possible collaboration between FARDC and FDLR, it is important to recall that the Democratic Republic of the Congo views FDLR as a criminal band, a terrorist group and a negative force which increases the suffering of the Congolese people and destroys the ecosystem in the Democratic Republic of the Congo, as in no other country of the subregion.

Moreover, North Kivu and South Kivu provinces, which are supposedly harbouring roving residual bands of FDLR members, are fully covered by a very active civil society, both national and international human rights and humanitarian non-governmental organizations, as well as MONUSCO, which is established throughout the territory. None of these organizations has to date issued a report of any collaboration whatsoever between FARDC and the FDLR negative force.

To sum up, the efforts undertaken to eradicate foreign negative forces since the withdrawal from the Democratic Republic of the Congo of the troops of foreign aggressors and the reunification of its national territory in 2003 adequately demonstrates that the Democratic Republic of the Congo remains a State which prizes peace and justice and is attached to the peaceful coexistence of the peoples and States of the subregion.

The Democratic Republic of the Congo was thus able, with a clear conscience, to agree to host in its territory, at Goma, North Kivu province (also the headquarters of the MONUSCO Force Intervention Brigade, accused by Rwanda), the Expanded Joint Verification Mechanism, which to date has never been informed by any member of the International Conference on the Great Lakes Region of new accusations of alleged collaboration between FARDC and FDLR.

On the other hand, beyond the shadow of a doubt, there has been collaboration between FDLR and M23; what is more, when they crossed Virunga National Park on 8 May 2012 at about 2300 hours, Bosco Ntaganda, Innocent Kahina and Baudouin Ngaruye were guided to the border with Rwanda by one of the FDLR commanders, named "Colonel" Mandefu.

This action was brought to the attention of the Rwandan Government by the Congolese Government in Kigali on 27 May 2012, and to date it has never been denied.

Lastly, the Government of the Democratic Republic of the Congo is already cooperating sufficiently and in full transparency with the United Nations, and remains prepared to provide any information that the Group of Experts would like to receive from it.

B. Regarding the accusations by the Government of Rwanda to the Security Council

The foregoing information responds to the concerns of the United Nations Group of Experts as well as to the accusations by the Government of Rwanda regarding alleged collaboration between FARDC and FDLR.

On instructions from his Government, the Ambassador of Rwanda, Eugène-Richard Gasana, his country's Permanent Representative to the United Nations, by a letter dated 9 July 2013, made the following three allegations in the form of accusations:

(1) Senior commanders of the MONUSCO Force Intervention Brigade held tactical and strategy meetings with FDLR commanders, thereby causing serious concern to Rwanda;

(2) Enhanced collaboration between FARDC and FDLR is taking place, with the knowledge and support of MONUSCO Force Intervention Brigade commanders; and several FDLR units or commanders have been integrated into FARDC commando units deployed near the border with Rwanda, and in some cases, certain MONUSCO brigade commanders are aware and supportive of such instances;

(3) There are deliveries of large quantities of weapons and ammunition to FDLR by FARDC officers, with the knowledge and support of MONUSCO Force Intervention Brigade commanders.

Rwandan Ambassador Eugène-Richard Gasana concludes his letter to the President of the Security Council by indicating that the activities alleged above constitute a serious threat to the security of Rwanda and call into question the credibility of MONUSCO and United Nations peacekeeping operations.

In the face of these serious accusations, the Democratic Republic of the Congo notes that Rwanda, curiously, does not provide the Security Council in the aforementioned letter with any specifics or details as to the date or location of the actions, or the identity of either the officers of FARDC units being accused, or of the suspected commanders of the MONUSCO Force Intervention Brigade.

As confirmation that Rwanda's accusations are gratuitous and unfounded, on 2 January 2013, MONUSCO had already, in a press release (see enclosure 6), stated that the allegations by Rwanda that FDLR was being supplied by Government army (FARDC) aircraft were unfounded.

In the same press release, MONUSCO recalled that in recent years, it has conducted numerous joint operations with the Congolese Army (FARDC) in order to reduce the damage caused by armed groups such as FDLR. MONUSCO estimates the number of FDLR fighters remaining in the region to be only a few hundred.

It is clear that Rwanda has not abandoned its usual stock in trade of alleged collaboration between FARDC and FDLR, which, moreover, has been refuted by day-to-day actions.

Colonel Fred Muziraguharara, representative of Rwanda to the Expanded Joint Verification Mechanism, and Colonel Innocent Kahina, Commander of the M23

operations sector at Munigi, were the source of the allegations that FDLR and FARDC were to be found in Muja-Rusayo sector.

However, in an Expanded Joint Verification Mechanism verification report dated 7 January 2013 on the presence of FDLR, Mai-Mai Nyatura and FARDC in the Muja-Rusayo sector, as alleged by Rwanda, the Joint Verification Team, headed by Colonel Jacques Assambo from the Republic of the Congo-Brazzaville, who had been sent to the site, had not obtained any corroborating evidence or testimony concerning the presence of those negative forces in the Muja-Rusayo sector, much less their collaboration with FARDC (see enclosure 7).

In addition to the verification on the ground, and to remove any doubt, the Expanded Joint Verification Mechanism, accompanied by Colonel Wolfgang Kirchner of MONUSCO, conducted an aerial reconnaissance mission on 10 January 2013 over the areas of Muja, Rusayo, Rutoke, the Nyiragongo forest and Kibumba; its conclusions (see enclosure 8) confirmed the findings of the report of the Expanded Joint Verification Mechanism of 7 January 2013 that there was evidence that FDLR, Mai-Mai Nyatura and FARDC were absent from those areas.

Lastly, regarding these new accusations which have suddenly arisen in the Security Council, Rwanda has never referred to them nor raised them for discussion in any of the many meetings held among experts, Chiefs of the Army General Staff, Ministers of Defence, Ministers for Foreign Affairs or even the various summits of Heads of State of the subregion (International Conference on the Great Lakes Region).

In conclusion

FARDC, which has relentlessly fought FDLR, as attested to by the numerous pieces of evidence provided above, and which is paying a heavy price in loss of human life among its ranks, can in no way at the same time be collaborating with or providing weapons and ammunition to that same negative force, which is responsible for multiple grave crimes against humanity committed within the territory of the Democratic Republic of the Congo.

Enclosure 1

[Original: French]

Report of the evaluation meeting between the Chief of General Staff of FARDC and the MONUC Force Commander on operation Amani Leo

Held at Kinshasa on 26, 27 and 29 March 2010

At the invitation of the Chief of General Staff of FARDC, Lieutenant General Didier Etumba Longila, a meeting was held from 26 to 29 March 2010 at the Military Information Headquarters in Kinshasa for the evaluation of operation Amani Leo against the FDLR/Iterahamwe in North Kivu and South Kivu. This evaluation applied the success criteria and indicators contained in the Joint Directive of 17 December 2009 and the recommendations from the Matadi meeting of 19 January 2010. The list of participants is contained in the annex.

At the joint briefing presented by the FARDC experts and the MONUC Force, the Chief of General Staff of FARDC and the MONUC Force Commander welcomed the success recorded in the neutralization of FDLR, and in that regard, the good collaboration between the MONUC Force and FARDC.

After exchanging views, the Chief of General Staff of FARDC and the MONUC Force Commander have agreed as follows:

Success of the operations

1. **Operational capability of FDLR**

- The operational capability of FDLR has lessened. Its potential was further reduced by 10 per cent since the launching of operation Amani Leo;
- The military command and political structure of FDLR are for the most part disorganized. Several high-ranking officials have been neutralized. However, whatever the remaining FDLR numbers, their military leadership survives, although on the run;
- The majority of FDLR headquarters identified have been dismantled and occupied by FARDC;
- FDLR no longer controls any known mining operation. Their major sources of supply have been cut off;

2. **Protection of the population**

- All the major roads have been reopened to traffic;
- There has been a remarkable and gradual return of displaced persons and some camps have been closed (Kibumba, Mugunga). Nevertheless, operations have still led to some population displacement;

3. Integration of armed groups

- Major success was achieved with the remaining armed groups (Kifuafua, Pareco, Yakotumba, Kirikicho), with the exception of APCLS.

In view of the above, the two parties note that FARDC holds a recognized moral advantage over FDLR; the joint operations have reduced FDLR potential between 65 per cent and 85 per cent.

Difficulties encountered

According to FARDC, the "conditionalities" applied by MONUC deprive them of the logistical support they need to maintain the pace of operations, or to keep their troops in place in isolated and remote locations.

Furthermore, the procedures for triggering the conditionalities for support represent a constraint to be taken into account in maintaining the pace to be set for the operations.

Recommendations

After all the discussions, the participants made the following recommendations:

1. Better integration of the constraints of conditionalities for MONUC support in order to facilitate operations.

2. Strengthen efforts in joint planning to facilitate MONUC support, in particular in areas that are difficult to reach.

3. Give precedence from now on to targeted operations with specific objectives with the goal of totally eliminating the FDLR leadership.

4. In liaison with provincial authorities, speed up negotiations with groups resistant to the integration process, APCLS in particular, in order to be able to conduct planned operations in the sectors concerned.

5. Identify fully pacified areas that can be turned over progressively to the Congolese national police with a FARDC presence.

6. Conduct an evaluation towards the end of April 2010 in order to establish a possible end date for the operations.

7. Pursue efforts to implement the "zero tolerance" policy.

The meeting began on Thursday 26 March at 1530 hours and ended on Monday 29 March at 1530 hours.

Done at Kinshasa, 29 March 2010

For the FARDC
(*Signed*) Didier **Etumba Longila**
Lieutenant General
Chief, General Staff

For the MONUC Force
(*Signed*) Babacar **Gaye**
Lieutenant General
MONUC Force Commander

List of participants

FARDC Delegation

LtGen Didier Etumba

MajGen Gabriel Amisi

MajGen Amuli Bahigwa

BrigGen Kitenge Tundwa

Col Jean Paul Mfinda

Col Marcel Ekuba

P.A. Kalev Mutondo

CabDir Leon Kalima

PolDirCab J. L. Cemg Mwilambwe

Col Bobo Kakudji

Col Delphin Kahimbi

Col Benjamin Birori

Col Marcel Buyuni

Col Isidore Kaumbu

Col Assumani Issa

Col Dieudonné Molenge

Col Leon Kasonga

LtCol Marc Mukaz

LtCol Polycarpe Boyongo

Maj Sam Kabila

Maj Marcel Masuku

Capt Saleh Lokwele

Lt Frank Kibwe

Lt Eustache Monga

MONUC Delegation

Gen Babacar Gaye

Gen Foster

Col Stephen Tremblay

LtCol Amadou Gueye

Lt Col Mamadou Gaye

LtCol Alvaro Cabrera

LtCol Kilmister

LtCol Tio Ari

LtCol Amer

LtCol J. R. Corimier

Maj Dirh Decoster

Enclosure 2

[Original: English and French]

Review meeting between the Chief of General Staff of FARDC and MONUSCO Force Commander held at Kisangani on 28 July 2010

Following the request by MONUSCO to carry out a review of the operation Amani Leo, the Chief of General Staff of FARDC, Lieutenant-General Didier Etumba Longila had invited Lieutenant-General Babacar Gaye, outgoing MONUSCO Force Commander to a bilateral meeting on 28 July 2010 at Kisangani.

This session was focused on the assessment of the execution level of recommendations of the last FARDC-MONUC meeting, held on 29 March 2010, and on the evaluation of the operation against the FDLR during the period between April and July 2010, taking into account the criteria and indicators of success defined in the Joint Directive of 17 December 2009.

After deliberations, the Chief of General Staff of FARDC and the MONUSCO Force Commander agreed on the following:

1. Execution level of recommendations of 29 March 2010

(a) Conditionality of MONUSCO support

According to FARDC, the conditionality has generated a certain frustration within their units:

- Lack of flexibility;
- Negative impacts on the required time before implementation of operations;
- Imbalance between supported units and unselected ones;
- Invalidation of some units based on individual offences.

(b) Joint planning

- The operations planned jointly had been executed and others are in course of execution. However, it had been noticed that some indiscretions had compromised the effect of surprise on the ground;
- By the way, FARDC have noticed insufficient supply of fuel and irregularity in resupply of combat rations by MONUSCO.

(c) Targeted operations

As of now, the targeted operations have not reached the expected objectives.

(d) Restoration of State authority

The deployment of Congolese National Police is on. Yet, the maintenance of FARDC troops in areas of difficult access necessitates an appropriate logistic support.

(e) Policy of zero tolerance

The policy of zero tolerance is of strict application within FARDC ranks. All the proved violation cases have been transferred to Military Justice (142

military personnel have been prosecuted since the beginning of Amani Leo in South Kivu and 76 in North Kivu). Still, the Joint Verification Commission on Human Rights Violations is facing some logistical difficulties.

2. Review of the operation

(a) Operational capability of FDLR

- There has been a supplementary reduction of 10 per cent of FDLR operational capability since the review of 29 March 2010, which is equivalent to a reduction of 75 per cent to 90 per cent of their potential;
- The objectives fixed by the Joint Directive are being achieved. Actually, the FDLR are very weakened and reduced (increase of those killed in action, the captured, the surrender, etc.);
- Avoiding contact with FARDC, the FDLR, deprived from all logistic resource, are carrying out some attacks in scattered mobile groups against civilian populations, notably in the areas of Mashuta, Muhanga, Kitchanga in North Kivu and Kashebere, Shalashala in South Kivu.

(b) Protection of civilian population

- Despite the activism of the remnant FDLR, the provinces of North Kivu and South Kivu are becoming more and more secured;
- The joint effort of the operation has allowed for better protection of the populations.

3. Recommendations

- Mobilize necessary resources and continuous logistic support in order to end the Operation Amani Leo within the three additional months accorded by the Supreme Commander, that is from 1 July to 30 September 2010;
- Continue operating in such a way as to reduce the frustration within FARDC units created by the conditionality clause;
- Continue efforts of joint planning, by assuring greater discretion within the operations;
- Extend MONUSCO logistic support to stabilization units in order to assure a better control of the conquered zones;
- Intensify the targeted operations, of limited duration, in order to neutralize the FDLR leadership (Mudacumura, Musare, Bigaruka ...);
- Screen as many units as possible so as to allow greater flexibility in the command;

– Accelerate the deployment of the Congolese national police in all the pacified zones;

– Continue the application of the policy zero tolerance.

Done at Kisangani, on 28 July 2010

For the FARDC
(*Signed*) Didier **Etumba Longila**
Lieutenant General
Chief, General Staff

For the MONUSCO Force
(*Signed*) Babacar **Gaye**
Lieutenant General
MONUSCO Force Commander

Enclosure 3

[Original: English]

Minutes of the meeting of the chiefs of general staff of the armed forces of the Democratic Republic of the Congo, the Rwandan Defence Force and the Burundi National Defence Force

Held in Matadi on 19 January 2010

At the invitation of the Chief of General Staff of the Armed Forces of the Democratic Republic of the Congo (FARDC), Lieutenant General Didier Etumba Longila, the second evaluation meeting of the operations against the FDLR/Interahamwe in North Kivu and South Kivu was held on 19 January 2010 in Matadi at the official residence of the Governor of Bas-Congo Province, in the presence of Lieutenant General Babacar Gaye, MONUC Force Commander.

The Rwandan delegation was led by General James Kabarebe, the Chief of Defence Staff of Rwanda (RDF) and that of Burundi by Major General Godefroid Niyombare, the Chief of General Staff of Burundi (FDN).

The tripartite meeting was held following the previous held in Goma on 31 August 2009 and before the launching of the new operation named "Amani Leo", due to eliminate the FDLR threat, facilitate total restoration of State authority and ensure protection of the civil population.

The agenda was as follows :

1. Opening remarks by His Excellency the Governor of the Province of Bas-Congo
2. Welcoming remarks by the Chief of General Staff FARDC
3. Thanking remarks from the Chief of Defence Staff of Rwanda
4. Thanking remarks from the Chief of General Staff of Burundi
5. Remarks by MONUC Force Commander
6. Briefing on operational situation by the Chief of General Staff FARDC
7. Discussions
8. Signing of the minutes of the meeting
9. Closure by His Excellence the Governor of the Province of Bas-Congo

Following the opening and the exchange of remarks by the different heads of the delegations, the Chief of General Staff FARDC presented a briefing on the operational situation, which allowed the participants to note success of Kimia II:

1. On FDLR strength:

The strength have been drastically reduced, in North Kivu and South Kivu. Many have been either killed, captured or repatriated.

2. With regard to the terrain:

All the FDLR sanctuaries have been dismantled, even though there is a tendency to regroup for survival.

3. Concerning FDLR organization:

FDLR military command, administration and political structure have been disrupted. Many FDLR officers have been either killed, repatriated or relocated.

4. On logistics:

The FDLR have been cut from their sources of supply and funding as they have been chased from the majority of the mining areas and cut from population support. They are short of weapons, ammunitions, food, medicine, etc.

Therefore:

– The populations are better protected with the commendable support of MONUC; they move freely and conduct their own activities.

– Restoration of State authority is in progress.

The two Chiefs of General Staff RDF and FDN congratulated the Chief of General Staff FARDC and MONUC Force Commander for the excellent results after a year of Kimia II operations.

The Chief of General Staff of the Rwandan Defence Force, while acknowledging success of the Kimia II operation, encouraged FARDC and MONUC to pursue hunting of FDLR remnants in order to eradicate them, i.e. bringing them to total surrender (laying down weapons at known locations, surrender to FARDC or MONUC), their denunciation of war and freeing Rwandan civilians held hostage since 1994. After saying so, he suggested joint monitoring on the ground.

Reacting to the information indicating presence of FDLR in Burundi fleeing from the operations in South Kivu, the Chief of General Staff of the Burundi National Defence Force stated that verification on the ground by FDN did not confirm that allegation.

Nevertheless, he did not deny that uncontrolled armed elements or demobilized Burundians be involved in security at the border areas.

In that regard, he pleaded for intensifying intelligence sharing in order to dismantle armed bandits and better secure the common border.

MONUC Force Commander proposed that experts from RDF and FARDC headquarters meet regularly to harmonize views in order to reach determined objectives.

After discussions, the participants recommend the following:

1. Maintain operations tempo in order to ensure success of Amani Leo operation.

2. Hold regular meetings at different command levels for intelligence sharing with regard to the operations.

3. Put in place joint monitoring on the ground and a mechanism for intelligence sharing between the intelligence services of the three countries.

4. Intensify sensitization of the population not to sympathize with FDLR remnants.

The Chief of General Staff FARDC finally assured his guests that FARDC will keep operations tempo until eradication of FDLR phenomena on Congolese territory. The heads of delegations congratulated the delegations for work well done, and for the atmosphere of mutual confidence and comradeship during the deliberations.

The next meeting will be held in Kisangani on 15 April 2010.

Done at Matadi on 19 January 2010.

For the FARDC	For the RDF	For the FDN
Chief of General Staff	Chief of Defence Staff	Chief of General Staff
(*Signed*) Didier **Etumba Longila**	(*Signed*) James **Kabarebe**	(*Signed*) Godefroid **Niyombare**
Lieutenant General	General	Major General

List of participants

FARDC Delegation

LtGen Didier Etumba

GenMaj Amuli

Gen Bde Kitenge Tundwa

GenBde Mankoma Banga

GenBde Raus Chalwe

Col Matutezulwa

Col Augustin Mamba

Col Birori

Col Léon Kasonga

Col Bobo Kakudji

Col Isidore Kaumbu

Col Asumani

Col Delphin Kahimbi

Col Isaac Kisebwe

Col Botamba

Mr Kalev Mutondo

Mr Léon Kalima

Mr Jean Luc Mwilambwe

Mr Konde Vantoto

LtCol Mayala

LtCol Ntambwe

Maj Sam Kabila

Capt Saleh Lokwele

Lt Eustache Monga

Lt Frank Kibwe

RDF Delegation

Gen James Kabarebe

BrigGen Jack Musemakweli

BrigGen Jérôme Ngendahimana

Lt Celestin Senkoko

FDN Delegation

Gen Godefroid Niyombare

Gen Bde Habarurema (G2 IFDN)

Col Athanas Nijena Hagera

MONUC Delegation

LtGen Babacar Gaye

LtCol Chris Kilmister

LtCol Mamadou Gaye

Enclosure 4

[Original: French]

Report of the meeting of the Chiefs of General Staff of the Democratic Republic of the Congo and the Republic of Rwanda

Held in Kigali on 1 and 2 November 2010

Introduction

1. The meeting of the Chiefs of General Staff of the Republic of Rwanda and the Democratic Republic of the Congo was held in Kigali, Rwanda, on 1 and 2 November 2010.

2. This meeting followed the meeting of the Ministers of Defence held in Kinshasa on 17 and 18 October 2010, and was opened by the Ministers of Defence of the Republic of Rwanda and the Democratic Republic of the Congo.

3. The Chiefs of General Staff noted that the presence of the Forces démocratiques de libération du Rwanda (FDLR) and the Forces combattantes abucunguzi (FOCA), as well as other armed groups operating in the Democratic Republic of the Congo constituted a threat to both countries and in the region.

4. The Chiefs of General Staff also noted that the meeting complied with the order of the Heads of State and the Supreme Commanders of the Armed Forces of the two countries, as well as with their common desire to work towards the emergence of a stable and prosperous region.

Purpose of the meeting

5. The purpose of the meeting was to exchange information and devise specific strategies with a view to eradicating the common threat to security constituted by the negative forces and their allies.

Exchange of information

6. The Chiefs of General Staff noted that the presence of FDLR and other negative forces in the east of the Democratic Republic of the Congo still constituted a threat to the security of Rwanda, the Democratic Republic of the Congo and the whole region.

7. The participants also noted that dissidents (Kayumba and Karegeya) of the Rwanda Defence Force (RDF) were recruiting fighters and trying to install a base in the east of the Democratic Republic of the Congo, in collaboration with the negative forces existing in the sector of Binza, Rutshuru territory, in particular the Forces patriotiques pour la libération du Congo (FPLC), the Rally for Unity and Democracy (RUD-URUNANA), Mai-Mai and a number of former Congrès national pour la défense du peuple (CNDP) combatants.

8. The Chiefs of General Staff further noted that the negative forces operating in the east of the Democratic Republic of the Congo were concluding alliances with a view to destabilizing the region. These alliances were behind the grenade attacks that had struck Kigali.

9. The Chief of General Staff of the Forces armées de la République démocratique du Congo (FARDC) brought to the participants' attention the initial implementation of a reorganization plan for FARDC in North Kivu and South Kivu with a view to making it better able to deal with the threat.

10. The FARDC Chief of General Staff stated that the continuing operations of the negative forces were based on their ideology of genocide and that the threat they represented should not therefore be seen in terms of numbers of combatants or modus operandi, but rather in relation to the enemy's goal, which was to carry out their genocide mission.

Comments

11. The Chiefs of General Staff noted that the armed forces of both countries were brothers, as demonstrated by the joint "Umoja Wetu" operation, as well as the subsequent operations of the joint intelligence teams.

12. The Chiefs of General Staff expressed satisfaction at the efforts made by FARDC to eradicate the operational capacities of the negative forces, in particular FDLR/FOCA, through the Kimia II and Amani Leo operations. Furthermore, they acknowledged the high-quality work done by the joint intelligence teams and emphasized the need to strengthen their operational capacity.

13. The Chiefs of General Staff noted that the joint intelligence teams were not operational in South Kivu.

Recommendations

14. The following recommendations were made:

(a) Political

(1) Strengthen tripartite efforts (Democratic Republic of the Congo, Rwanda, United Nations High Commissioner for Refugees (UNHCR)) for prompt repatriation of the Congolese refugees living in Rwanda;

(2) Encourage local political representatives of both countries to meet regularly;

(b) Military

(1) The Chiefs of General Staff will meet once every two months and whenever necessary;

(2) The operational commanders must meet once every two months or whenever the situation requires;

(3) Maintain communication between the Chiefs of General Staff and have available the secure means for this purpose;

(4) Continue awareness-raising among the former CNDP elements so that they integrate fully into FARDC;

(5) Joint intelligence teams should devise plans for full-scale operations;

(6) Provide joint intelligence teams with significant logistical support;

(7) Provide a special force of two companies in each country to support the operations of the joint intelligence teams. Both sides of this force will be ready within two weeks;

(8) Where the joint intelligence teams identify an enemy which requires a stronger force, the commanders concerned will meet to assess the size of the force to be committed and will refer to their superiors regarding the nature of the operations to be conducted;

(9) Any bandit or negative force allied to FDLR/FOCA or other negative forces will be considered and neutralized as such;

(10) It will not be tolerated if an individual or group of individuals opposes the vision of the two Heads of State to work towards peace, stability and the development of the peoples of both countries.

Conclusion

15. Rwanda and the Democratic Republic of the Congo reiterate their willingness to strengthen existing cordial relations in order to deal jointly with the common threat and with a view to achieving the sustainable development of their peoples.

16. The common threats to the security of the two fraternal countries are real. Particular attention should be paid to that fact.

17. The Ministers of Defence of the Democratic Republic of the Congo and the Republic of Rwanda present at the meeting adopted the above recommendations.

Done at Kigali, 2 November 2010

(*Signed*) Charles **Kayonga**
Lieutenant General
Chief of General Staff, RDF

(*Signed*) Didier **Etumba Longila**
Lieutenant General
Chief of General Staff, FARDC

Enclosure 5

[Original: French]

Report of the meeting of the Chiefs of General Staff of the Armed Forces of the Democratic Republic of the Congo and the Rwanda Defence Force

Kinshasa, 20 and 21 May 2011

I. Introduction

1. At the invitation of the Chief of General Staff of the Forces armées de la République démocratique du Congo (FARDC), Lieutenant General Didier Etumba Longila, the bilateral meeting to assess operations against the Forces démocratiques de libération du Rwanda (FDLR)/Interahamwe in North Kivu and South Kivu was held on 20 and 21 May 2011 at the Grand Hôtel, Kinshasa.

2. The Rwandan delegation was led by Lieutenant General Charles Kayonga, Chief of General Staff of the Rwanda Defence Force (RDF).

3. The bilateral security assessment meetings between the Chiefs of General Staff of the RDF and FARDC were organized based on the political will expressed by the two Heads of State of Rwanda and the Democratic Republic of the Congo, their Excellencies Paul Kagame and Joseph Kabila Kabange, at their summit of 7 August 2009 in Goma, in their determination to achieve peace, stability and the development of the two fraternal countries.

4. This bilateral meeting also followed on from the orders given by the Ministers of Defence of the two respective countries and followed the tripartite meeting held on 19 January 2010 in Matadi, and the bilateral meeting held in Kigali on 1 and 2 November 2010.

II. Discussions

After listening to the experts' report, the two heads of the delegations expressed their satisfaction at the progress of the operations and noted the following:

1. The potential of FDLR had been considerably reduced.

2. Certain leaders and a large number of FDLR combatants had been neutralized (killed, sent back to Rwanda or arrested).

3. The roving FDLR members attempting to survive, located mainly in the western part of the operational zone, were committing certain atrocities with the complicity of some members of the national armed groups that opposed integration, and may have been linked to the Kayumba and Karegeya activists.

4. Ever-greater protection was being provided for the population.

5. State authority was gradually being restored in the provinces of North Kivu and South Kivu.

III. Conclusion

1. The Chiefs of General Staff reaffirmed their commitment to promoting and strengthening cooperation between the two armies, with a view to guaranteeing peace, stability and development in the Great Lakes region.

2. The Chief of General Staff of RDF congratulated the Chief of General Staff of FARDC on the excellent results obtained to date.

3. Finally, he thanked his Congolese counterpart for the warm welcome and hospitality offered to him and to his delegation.

IV. Recommendations

Following the discussions, the meeting recommended to:

1. Increase the exchange of information at all levels between the two armed forces.

2. Strengthen operations to track down remaining hard-core FDLR with a view to eradicating this phenomenon completely.

3. Give impetus to a regional mechanism for combating the proliferation of weapons.

4. Hold the next assessment meeting in Kigali, Rwanda, on a date to be agreed.

Done at Kinshasa, 21 May 2011

For the FARDC
(*Signed*) Didier **Etumba Longila**
Lieutenant General
Chief of General Staff

For the RDF
(*Signed*) Charles **Kayonga**
Lieutenant General
Chief of General Staff

Enclosure 6

[Original: French]

Press release

MONUSCO mission declares several rumours to be unfounded

Kinshasa, 2 January 2013 — From 21 to 24 December 2012, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) sent an evaluation team to Mpati, Nyange and Bibwe in the territory of Masisi, North Kivu. The team consisted of members of the civil affairs and disarmament, demobilization, repatriation and reintegration sections, as well as the MONUSCO brigade in North Kivu. The purpose of the mission was to ascertain the truth of persistent rumours circulating in these areas.

At the end of its mission, the team is in a position to state that the following rumours are without foundation:

1. The arrival in Kazibake of 4,000 members of the Forces démocratiques de libération du Rwanda (FDLR) accompanied by members of their families and who appeared to have crossed over via Zambia;

2. The crossing of two white helicopters bearing the United Nations logo, on 13 December between Nyange and Lwama;

3. The existence in Kivuye of a new FDLR commander known as Bakota;

4. The supplying of FDLR with weapons and ammunition by Government army aircraft.

The mission was, however, able to confirm the presence of FDLR elements in several towns and villages in the Bashali, Mukoto and Mpau groups, where they had been since April 2012, fleeing the advance of the Mai Mai Rahiya Mutomboki. Among other groups, FDLR are present on the Bibwe-Kitso-Nyange axis, which pose a problem of protection of the civilian population by collecting illegal taxes and making harvesting difficult. On these points, the Mission recommended to the national and local authorities to take appropriate measures to relieve the populations' burden.

MONUSCO recalls that in the past few years it has conducted numerous joint operations with the Congolese army to reduce the trouble caused by the armed groups, including FDLR. It estimates that there are only a few hundred FDLR combatants left in the region.

Enclosure 7

[Original: French]

Verification report on the presence of FDLR, a Nyatura group and FARDC in the Muja-Rusayo sectors

7 January 2013

Introduction

In relation to the information given by Colonel Fred Muziraguharara, representative of Rwanda to the Expanded Joint Verification Mechanism, and allegations made by Colonel Innocent Kayina, Commander of the Operational Sector of Munigi (M23), concerning the presence of the Forces armées de la République démocratique du Congo (FARDC), Forces démocratiques de libération du Rwanda (FDLR) and Mai Mai Nyatura forces in the hills of Rusayo and Muja, a Joint Verification Team was dispatched to the site on the afternoon of Monday, 8 January 2013.

The team was escorted by the MONUSCO Indian forces as far as the sector indicated above.

The purpose of this report is to shed light on the information and allegations referred to above.

A. Composition of the team

Colonel Jacques Assambo (Republic of the Congo), team leader

Colonel Emmanuel Kaputa (Democratic Republic of the Congo), member

Lieutenant Colonel Antoine Barimurabo (Burundi), member

B. Presentation of the security situation in the sector

The Expanded Joint Verification Mechanism has arrived in the town of Muja, groupement Butiti, located to the extreme north-east of the town of Goma. It has been received in turn by the commanders of the MONUSCO Indian and Uruguayan detachments. The two commanders gave details of the security situation in their operational sectors.

1. Indian detachment

The commander of this detachment is Major Amandeep (commander of the Goma airport company), who reported on the security situation, as follows:

– In general, the security situation is relatively calm.

His detachment is made up of a section which occupies the hill overlooking Muja and patrols the villages of Mukondo 2, Bugamba 1-2 and Ndosho.

– This detachment controls the north-east sector where it has been deployed for one month.

– Since their arrival in the sector, the detachment has never encountered negative forces (FDLR and Mai Mai). However, the detachment is informed by the

population groups about the M23 patrols conducted in the surrounding villages.

– As a result of the various frightening reports received by the population groups in Kanyati village, they are obliged (especially women and children) to leave their villages to go and spend the night in Muja, where security is provided by MONUSCO.

– Since their deployment, only on 5 January 2013 were a few shots heard in the direction of Munigi.

– No incidents were recorded before, during or after the end-of-year holidays.

2. Uruguayan detachment

The commander of this detachment is Lieutenant Cardozo who reported on the security situation, as follows:

– In general, the security situation in the north-west sector is relatively calm.

His detachment consists of 25 members, plus a doctor and an interpreter.

– Since his detachment was deployed, there have been no incidents. However, on Monday 7 January 2013, at about 5 a.m., 20 shots were heard about 10 kilometres to the north-west of their camp.

– Since their deployment, his patrols have never encountered negative forces (FDLR and Mai Mai Nyatura).

– The population groups in Kanyati informed them of the presence of M23 patrols in the vicinity of that village.

– During the night, the inhabitants of Kanyati (especially women and children) come and spend the night in Muja and go back to their village in the morning.

– This detachment carries out regular night-time patrols in the sector of Muja, Mutao and Kanyati.

C. Observations

– Both detachments provide appropriate security for the sector and are admired by the population groups which cooperate closely with them.

The hills overlooking the sector are held by the two detachments which have effective control over the sector.

– There is no proven presence of negative forces (FDLR and Mai Mai Nyatura), but rumours are circulating on this subject.

– The Expanded Joint Verification Mechanism should have consisted of five members, but in fact had only three. Lieutenant Colonel Babu of Kenya was ill, while Lieutenant Colonel Cassius James of Rwanda refused for fear of being captured by FDLR, according to his words.

D. Recommendation

It is recommended to maintain the two MONUSCO detachments in the sector, which act as a deterrent and provide appropriate security for the population groups.

E. Conclusion

Contrary to the allegations, information and rumours on the presence of the negative forces (FDLR and Mai Mai Nyatura) in the sector of Muja and Rusayo, the Expanded Joint Verification Mechanism has not obtained proof or testimony as to the presence of those negative forces.

Done at Goma, Democratic Republic of the Congo, 7 January 2013

Colonel Jacques Assambo
Republic of the Congo

Colonel Emmanuel Kaputa
Democratic Republic of the Congo

Lieutenant Colonel Antoine Barimurabo
Republic of Burundi

Enclosure 8

[Original: French]

Aerial reconnaissance report on the towns of Muja, Rusayo, Mutao, Rutoke, Nyiragongo Forest and Kibumba

10 January 2013

Introduction

In relation to the information given by Colonel Fred Muziraguharara, representative of Rwanda to the Expanded Joint Verification Mechanism, and the allegations made by Colonel Innocent Kayina, Commander of the Operational Sector of Munigi (M23) concerning the presence of the Forces armées de la République démocratique du Congo (FARDC), Forces démocratiques de libération du Rwanda (FDLR) and Mai Mai Nyatura forces in the hills of Rusayo and Muja, a Joint Verification Team conducted aerial reconnaissance with the support of MONUSCO in the sectors of Muja, Rusayo, Mutao, Rutoke, Nyiragongo Forest and Kibumba, on Thursday, 10 January 2013.

The purpose of this report is to complement the information collected, noted and contained in the verification report of 7 January 2013.

A. Composition of the team

Colonel Jacques Assambo (Republic of the Congo), team leader

Colonel Emmanuel Kaputa (Democratic Republic of the Congo), member

B. Observations on the sectors visited

During this reconnaissance, the Expanded Joint Verification Mechanism was accompanied by Colonel Wolfgang Kirchner (MONUSCO liaison officer), as he was involved in preparing for the mission and acted as interpreter between the team and the crew during the reconnaissance.

The aerial view allowed the Expanded Joint Verification Mechanism to observe the following:

1. Town of Muja

- Free movement of persons
- Withdrawal of MONUSCO Indian detachment that provided security in the north-east of Muja
- Presence of the Uruguayan detachment in the north-west of Muja

2. Town of Mutao

- Free movement of persons and vehicles transporting agricultural produce
- Presence of a checkpoint and of vehicles belonging to an unidentified force

3. Rutoke and Nyiragongo Forest sector

Presence of dispersed huts, three of which were slightly dispersed and seven grouped together on a low hill, where all around natural smoke was drifting from the production of charcoal behind the volcanic mountain of Nyiragongo in the direction of Kibumba. The team has not been able to ascertain the origin of these producers.

4. Town of Kibumba

- Predominance of defensive positions of M23 troops
- Erection of a number of roadblocks on the sections between Kibumba-Rugari and Kibumba-Goma
- Free movement of persons and vehicles.

C. Note

The Expanded Joint Verification Mechanism did not spot any campsite containing FDLR and other armed groups in the sectors they flew over. However, the presence of the dispersed huts that were observed during the reconnaissance gives rise to questions as to the origin of the huts and to whom they belong.

D. Recommendations

- The MONUSCO Indian detachment should reoccupy its position in the north-east of Muja
- Identification of the force manning the roadblock at Mutao
- Identification of the charcoal producers on the low hill behind the Nyiragongo volcano
- Identification of the origin of the huts and to whom they belong
- Another aerial reconnaissance mission in the sectors of Sake, Kimoka, Mutovu and Katungonda
- A high-precision aircraft for filming and taking photos.

E. Conclusion

In this kind of reconnaissance, the collaboration of the Expanded Joint Verification Mechanism with MONUSCO, FARDC and M23 proves to be necessary owing to the overlaps in the sectors held by the different parties, and to avoid incidents in relation to the aircraft crew, the members of the Mechanism and other allegations.

Done at Goma, Democratic Republic of the Congo, 10 January 2013

Colonel Jacques Assambo
Republic of the Congo

Colonel Emmanuel Kaputa
Democratic Republic of the Congo